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4 GARY F. FISHER,

5 Plaintiff,

6 v.

7 SCOTT NICHOLAS GRAHAM,

8 Defendant.

9 Case No. 20-cv-01118-EMC

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11 **ORDER OF TRANSFER**

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14 Plaintiff filed this *pro se* civil rights action, complaining of injuries suffered during an
15 attack by another inmate on November 27, 2013. Although Plaintiff does not allege in his
16 complaint the particular prison at which this attack occurred, medical records attached to the
17 complaint show he was a prisoner at the California State Prison – Sacramento (CSP – Sacramento)
18 when he was sent to the hospital following the attack. *See* Docket No. 1-1 at 43. Moreover, in an
19 earlier action he did allege that the attack took place at CSP- Sacramento. *See Barger a/k/a Fisher*
20 *v. Director of “Ops” at CDCR*, E. D. Cal. No. 2:14-cv-1323-TLN,EFB at Docket No. 1 at 1, 6.

21 The events and omissions complained of occurred at the CSP - Sacramento, which is
22 located in Sacramento County, California. Sacramento County is within the venue of the Eastern
23 District of California. The defendants are employed at the prison in Sacramento County and at
24 CDCR headquarters in Sacramento, and apparently reside in the Eastern District of California. No
25 defendant is alleged to reside in, and none of the events or omissions giving rise to the complaint
26 are alleged to have occurred in, the Northern District. Venue therefore would be proper in the
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1 Eastern District, and not in this one. *See* 28 U.S.C. § 1391(b). Accordingly, in the interest of
2 justice and pursuant to 28 U.S.C. § 1406(a), this action is **TRANSFERRED** to the United States
3 District Court for the Eastern District of California. The Clerk shall transfer this matter.

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IT IS SO ORDERED.

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Dated: April 23, 2020

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EDWARD M. CHEN
United States District Judge

United States District Court
Northern District of California

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